



JANUARY 2005

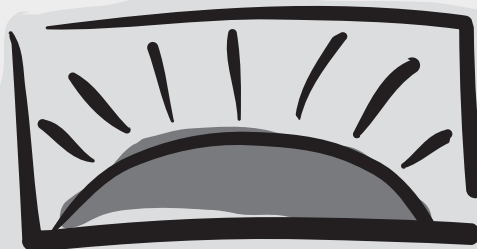
WESTERN REGION

in this issue:

- > Did you know?
Fair Labor Standards Act
- > Where we've Been and
Where We're Going
- > jobs.utah.gov - Solutions
at the Speed of Business
- > On-Line Recruitment
System Enhanced
- > Economic Information

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Department of Workforce Services



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Did you know?

Under the **Fair Labor Standards Act (FLSA)** employers may be required to pay for waiting, on-call or travel time. Below is an overview of those areas where employers mistakenly don't compensate where maybe they should:

Waiting Time: Whether waiting time is time worked under the Act depends upon the particular circumstances. Generally, the facts may show that the employee was engaged to wait (which is work time) or the facts may show that the employee was waiting to be engaged (which is not work time). For example, a secretary who reads a book while waiting for dictation or a fireman who plays checkers while waiting for an alarm is working during such periods of inactivity. These employees have been "engaged to wait."

On-Call Time: An employee who is required to remain on-call on the employer's premises is working while "on-call." An employee who is required to remain on-call at home, or who is allowed to leave a message where he/she can be reached, is not working (in most cases). Additional constraints on the employee's freedom could require this time to be compensated.

Rest and Meal Periods: Rest periods of short duration, usually 20 minutes or less, are common in industry (and promote the efficiency of the employee) and are customarily paid for as working time. These short periods must be counted as hours worked. Unauthorized extensions of authorized work breaks need not be counted as hours worked when the employer has expressly and unambiguously communicated to the employee that the authorized break may only last for a specific length of time, that any extension of the break is contrary to the employer's rules, and any extension of the break will be punished. Bona fide meal periods (typically 30 minutes or more) generally need not be compensated as work time. The employee must be completely relieved from duty for the purpose of eating regular meals. The employee is not relieved if he/she is required to perform any duties, whether active or inactive, while eating.

Sleeping Time and Certain Other Activities: An employee who is required to be on duty for less than 24 hours is working even though he/she is permitted to sleep or engage in other personal activities when not busy. An employee required to be on duty for 24 hours or more may agree with the employer to exclude from hours worked bona fide regularly scheduled sleeping periods of not more than 8 hours, provided adequate sleeping facilities are furnished by the employer and the employee can usually enjoy an uninterrupted night's sleep. No reduction is permitted unless at least 5 hours of sleep is taken.

Lectures, Meetings and Training Programs: Attendance at lectures, meetings, training programs and similar activities need not be counted as working time only if four criteria are met, namely: it is outside normal hours, it is voluntary, not job related, and no other work is concurrently performed.

Source: U.S. Department of Labor, Employment Standards Administration Wage and Hour Division, Fact Sheet: #22: Hours Worked Under the Fair Labor Standards Act (FLSA)

Where We've Been and Where We're Going

By – Darin Brush, Deputy Director



In the past few months, I have heard and read dozens of stories about ways we have added value to employers throughout the state. One company, a large retailer that opened several stores this year, estimates we were able to save it more than \$2 million in hiring costs and potential lost revenue if it had not met its deadline for opening. Meanwhile, a new restaurant needed one employee, whom it found with our help, saving the owners just over \$1000. In fact, last year 11,366 employers found workers and saved millions of dollars with the help of the Department of Workforce Services!

With the assistance of our employer advisory boards, we hosted nearly 20 training seminars. Most of these focused on the ever-changing world of employment law, employee relations, and successful supervision. More than 4,500 human resources officers, supervisors, and managers have attended these seminars the last two years. We also sponsored 25 "Better Your Business" workshops around the state the past 24 months, reaching over 1,000 human resource professionals. These classes focus on resources and solutions that can be had from state agencies, community organizations, and other workforce partners.

There is so much more! And, as the economy continues to gain traction, we have high expectations for 2005. Watch as we optimize the jobs.utah.gov web site to help you find qualified employees faster and easier from the largest and freshest database of job seekers in Utah. Keep an eye out for more real-time economic information to help you plan, grow, and succeed. Continue to expect great service from your partner, the Department of Workforce Services.

Thank you for the opportunity to serve you. Best wishes for 2005!

jobs.utah.gov – Solutions at the Speed of Business!

At DWS we are constantly finding new ways to present desktop solutions to the everyday employment issues for today's business. **Jobs.utah.gov** for Employers is designed to give you 24/7 access to services and solutions at your fingertips on your schedule, not ours. Here is a brief description of just some of the information and services available:

Search for Employees: This service gives you 24/7 access to our Utah talent pool of over 135,000 applicants. By entering the qualifications you require for an applicant, you will be able to review electronically applicants that match your needs—right at your desktop—any time you choose. You can even login directly from our front page. This system is currently being upgraded to make your employee search faster and easier!

Report Quarterly UI Taxes: Register, report and pay your UI taxes on-line, not in-line!

Seminars/Workshops: Find out the topics, location and time of our latest workshops and seminars designed to keep our business clients on top of the business solutions of the day!

New Hire Registry: Find out information, register and report New Hires for your business right on-line!

Recruitment Services: Find out how DWS Business Consultants can design recruiting solutions specifically for your business needs!

Economic Solutions: Access the latest economic and labor market information nationally, statewide or locally to assist you in managing your business!

Business.utah.gov: Access an aggregation of Utah business solutions from Starting to Maintaining to Moving to Downsizing your business all in one place!

File an Appeal: Understand the Unemployment Appeals Process and file an Appeal right online!

Resource Center: Haven't seen what you need? Look in our Resource Center to find a listing of services, links and assist you in solving a myriad of business situations!

Pre-Layoff Services: Did you know that DWS can assist you in preparing for and providing assistance to you and potential workers you may have to lay-off? Find out how here!

Find Economic Data: The Utah Economic Data Viewer gives you powerful Utah and national economic data on your desktop in an easy to use format. No longer do you have to sift through thick publications of data to find just what YOU need. If more precise information is needed you can link right to a labor economist for your area that will be happy to assist you!

Unemployment Tax Information: Confused about UI taxes and laws? Have your questions answered at this complete and informative site designed to eliminate the mystery!

We are committed to providing electronic solutions to assist you and your business to navigate through today's business environment. We will continue to add information and services! If you know of information or services that we may want to add to our site, simply contact your DWS Business Consultant. Thank you for trusting DWS for your business solutions!

On-line Recruitment System Enhanced

In the fall of 2002, DWS launched an on-line recruitment system to assist job seekers and Utah employers. Since the launch we have worked diligently to upgrade the system to better meet the needs of users. The job seeker side has received on-going enhancements as a result of feedback received through the on-line chat service, which was included in the launch of the product.

In February 2005, DWS will unveil the enhanced features to the employer side of the system. The redesign was a joint effort between DWS Information Technology staff and business users. Some of the new features include: 1) a condensed entry

form (from 8 pages to 1); 2) a 'behind the scenes' search engine, which allows employers to enter their job title thus populating a selection of titles to choose from; and 3) a seeker summary searching feature which allows employers to find candidates matching their job criteria from a single screen!

If you haven't yet tried this on-line system, and you have a job opening to fill, login today at <http://jobs.utah.gov/employer/emservices.asp> and start filling those vacancies! For questions about the **jobs.utah.gov** recruitment system, contact Robert Wade, at rwade@utah.gov.

Utah Department of Workforce Services

Executive Director's Office

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Permit #4621**Economic Information****Contact Numbers****Western Region—Workforce Information**

For the first time in several years, every single one of the 11 counties in the Western Region is showing employment growth. Three counties—Washington, Piute, and Juab—even generated 11 percent year-to-year job expansion in the second quarter of 2004 (the most current data available). Utah's comparable job growth measured only 3 percent and the nation's figures proved even lower—only 1 percent.

Of course, all of the Western Region counties didn't experience double-digit job growth. Garfield County eked out only a 1 percent employment gain. Moreover, Millard and Wayne County employment expansion measured just 2 percent.

Keep in mind that the rate of job growth is the best available indicator of economic wellbeing on the local level. The fact that all of the Western Region's counties are once again creating employment provides welcome news indeed.

For more information about the county economies of the Western Region, contact your regional economist, Lecia Langston (435-688-3115) or check out our website: <http://jobs.utah.gov/wi/Regions/County.asp>

Business Consultants

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<i>Delta</i> -Stacy Anderson	(435) 864-3860
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